

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA

2016 OCT 31 PM 12:54

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA

Inmate Identification Number: #178685

Timothy Ray Hacker

(Enter above the full name of the plaintiff  
in this action)

## NOTICE TO FILING PARTY

*It is your responsibility to  
notify the clerk in writing of any  
address change.**Failure to notify the clerk may  
result in dismissal of your case  
without further notice.*

vs.

Willie Thomas

John Hutton

David Roseman

Christopher Gordy

(Enter above full name(s) of the defendant(s)  
in this action)

CV-16-HS-1773-ME

All Defendants Are to  
be sued in their OFFICIAL  
AND INDIVIDUAL Capacity.

## I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?  
Yes ( ☒ ) No ( ☐ )

- B. If the answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

## 1. Parties to this previous lawsuit:

Plaintiff:

Timothy Ray Hacker

Defendant(s):

Steven Bullard

Mr. Roundtree

2. Court (if Federal Court, name the district; if State Court, name the county)  
Northern District Alabama
3. Docket number \_\_\_\_\_
4. Name of judge to whom case was assigned \_\_\_\_\_
5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)  
Dismissed
6. Approximate date of filing lawsuit 2003
7. Approximate date of disposition 2005

II. Place of present confinement Madison County Jail

- A. Is there a ☒ prisoner grievance procedure in this institution?  
Yes ( ☒ ) No ( ☐ )
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes ( ☐ ) No ( ☒ )
- C. If your answer is YES:
  1. What steps did you take? \_\_\_\_\_
  2. What was the result? \_\_\_\_\_

D. If your answer is NO, explain why not: I Am temporarily housed in the Madison County Jail. This Complaint is Against Alabama Dept. of Corrections officials At Bibb County Correctional Facility And Limestone Correctional Facility.

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## Claim # 1

On April 15<sup>th</sup> 2016 I informed Lt. Denise McKenzie that An inmate had been extorting money from me for the past several months.

I WAS placed in Administrative Segregation. During my time in Administrative Segregation I wrote many letters and Requests to my Classification Supervisor And to Warden Christopher Gordy At Limestone Correctional Facility. My Classification Supervisor, Katie Bias told me that I would not be placed in Protective Custody And that I would be transferred to An enemy free population.

Letters and Requests sent to Warden Christopher Gordy were answered with the same response. I begged Warden Christopher Gordy And Classification Supervisor Katie Bias to put me in Protective Custody At Limestone but they ignored

Claim # 1 cont  
my pleas And had me  
transferred to Another  
prison where I had  
unknown enemies which  
caused me to be violently  
sodomized by inmate  
Derrek Alexander on July  
29<sup>th</sup> 2016.

Relief:

The Plaintiff Asks  
that this Court Rule that  
Warden Christopher Gordy  
And Classification Supervisor  
Katie Bias ignored my requests  
for protective custody and  
sent me to A prison where I  
had unknown enemies which  
led to me being violently  
sodomized by inmate Derrek  
Alexander.

The Plaintiff Also Asks that  
this Honorable Court order the  
Defendants to place him in  
protective custody At Limestone  
Correctional facility where he  
has no known enemies.

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## Claim # 2

On July 23<sup>rd</sup> 2016 I WAS CALLED TO CLASSIFICATION AT Bibb County Correctional Facility.

The Reason I WAS CALLED TO CLASSIFICATION WAS FOR A PREA. PRISON RAPE Elimination Act QUESTIONNAIRE FOR AN Audit THAT WAS going on, July 23<sup>rd</sup> - 24<sup>th</sup> 2016

I Spoke With A Classification specialist And told her that I WAS being threatened And HARRASSED by AN inmate.

She called Lt. David Roseman And I told him that Inmate DERREK Alexander WAS threatening me And HARRASSING me sexually.

Lt. Roseman told me that he would have me moved to the 4<sup>th</sup> Dorm When I WAS Released from the Health CARE Unit.

When I WAS Released from the Health CARE Unit, I WAS told to move back to my same bed that I WAS on before I WAS put in the Health CARE Unit. I told the officers At the shift



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office About my situation but they laughed At me And told me to go to my old bed Assignment. This was on July 25<sup>th</sup> 2016. On July the 29<sup>th</sup> 2016 I WAS sodomized by inmate DERREK Alexander.

Several Days later After I WAS sodomized I WAS placed in the Health Care Unit At Bibb County Correctional Facility. I WAS placed in the Health Care Unit because I had swelling in my left foot and leg due to lymphodema. After I WAS in the Health Care Unit, I Reported the sexual Assault on the P.R.E.A. hotline.

On July 23<sup>rd</sup> And 24<sup>th</sup> I Reported these threats to Lt. David Roseman And Warden Willie Thomas At A P.R.E.A. Administrative AUDIT. I Also Reported these threats to Cpt John Hutton before I WAS sodomized on July 29<sup>th</sup> 2016. No Action WAS Taken.

I Also wrote A "grievance" on July 23<sup>rd</sup> 2016 and placed it in the "grievance box" addressed to Sgt. Sealey. No Action was taken. Shortly thereafter I was sodomized on July 29<sup>th</sup> 2016.

Relief, The Plaintiff asks that this Honorable Court Rule that The Defendants place him in Protective Custody due to the fact that the plaintiff has "unknown ENEMIES in The General Population of The ALABAMA Dept. of Corrections. The Defendants have ignored all requests for protection by the Plaintiff which was clearly A Deliberate ~~indifference~~ - indifference which resulted in the violent sexual assault of the Plaintiff.

## III. Parties.

In item (A) below, place your name in the first blank and place your present address in the second blank.

A. Name of Plaintiff(s) Timothy Ray Hacker  
Madison County Jail  
 Address P.O. Box 2047  
Huntsville, AL 35804

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant Willie Thomas  
 Is employed as WARDEN  
 at Bibb County Correctional Facility

C. Additional Defendants John Hutton - Captain,  
David Roseman - Lieutenant, Christopher  
Gordy - Warden Limestone Correctional  
Facility, Katie Bias - Classification  
Limestone CORR. Facility

## IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

Continued extra paper



V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Continued

I declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_

  
SIGNATURE

ADDRESS Timothy Ray Hacker #63425  
Madison Co. Jail  
P.O. Box 2047

AIS # Huntsville, AL 35804

State AIS# 178685

Timothy Hecker 00063125 A  
PO Box 2047  
HSV, AL 35804

OFFICE OF  
CLERK, UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
HUGO L. BLACK UNITED STATES COURTHOUSE  
1729 - 5TH AVENUE NORTH  
BIRMINGHAM, ALABAMA 35203-2040

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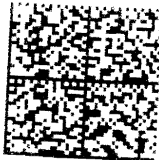
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SECURITY

OCT 31 2016

U.S. DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA

Clerk, USDC  
Room 140  
1729 Fifth Avenue North  
Birmingham, AL 35203



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